

## CHAPTER 6

### (C) COMMERCIAL ZONE

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#### 14-6-101 PURPOSE AND OBJECTIVES

The Commercial Zone (C) is established to provide areas dedicated primarily to retail, office, and service related uses. Within the Commercial zone are various subzones with individual criteria that have been created to address specific needs pertinent to the areas these subzones encompass.

- A. The Heavy Commercial (C-H) subzone is intended for uses which involve heavy automobile and semi-truck traffic, and/or that are regional in nature. Areas zoned C-H should be near or immediately adjacent to major arterials. Typical uses [DW1] in the C-H subzone include: Big-box retail, light manufacturing, planned commercial developments, office towers, automobile repair and service, outside storage yards [DW2], and office/warehouse buildings.
- B. The General Commercial (C-G) subzone is intended for uses which involve medium automobile and semi-truck traffic, and/or that are sub-regional in nature. Areas zoned C-G should be near or immediately adjacent to major collectors/minor. Typical uses in the C-G subzone include: Small retail centers, supermarkets, restaurants, offices, and general services.
- C. The Neighborhood Commercial (C-N) subzone is intended for uses which involve light automobile traffic and semi-truck traffic, and/or that are local in nature. Areas zoned C-N should be near or immediately adjacent to collector roads.

#### 14-6-102 AREA OF ZONE

Each area of commercial zoning shall meet the following minimum size:

**Table 14-14-102**

<u>Subzone</u>	<u>Min. Zone Area (Acres)</u>
C-H	3.0
C-G	2.0
C-N	0.5

**14-6-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES**

Subject to the provisions and restrictions of this Title, the following principal uses and structures, and no others, are allowed either as a permitted use (P) or by Conditional Use Permit (C) in the Commercial zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is also expressly prohibited.

**Table 14-6-103**

<u>Use</u>	<u>C-H</u>	<u>C-G</u>	<u>C-N</u>
Assisted Living Center	N	N	N
Banks, Credit Unions	P	P	N
Bar, Tavern, Drinking Establishment	C	N	N
Bottling, Canning, Food Production	P	C	N
Building/Construction Materials and Supplies w/ outside storage	C	C	N
Building/Construction Materials and Supplies w/o outside storage	P	C	N
Check Cashing, Title Loans	P	C	N
Construction Services w/ outside storage	C	N	N
Construction Services w/o outside storage	P	C	N
Convenience Stores	P	C	C
Dry Cleaner, Laundry Service	P	C	C
Fast Food Restaurant w/ or w/o drive-up	P	C	N
Feed Lots, Animal Rendering, Animal Raising	N	N	N
Fire Arm/Shooting Range – Indoor	C	N	N
Fire Arm/Shooting Range – Outdoor	N	N	N
Food Preparation, Bakery	P	P	C
Funeral Parlor, Cemeteries, and Crematory Services	P	C	N
Gasoline Sales	P	P	C
General retail w/ outside storage	C	C	N
General retail w/o outside storage	P	P	C
Grocery Store	P	P	C
Hotels (Interior room access)	P	C	N
Industrial Manufacturing	N	N	N
Kennels, Animal Boarding	N	N	N
Laundromat (Self-operated)	P	P	C
Mail Order/Online Distribution office w/ onsite indoor storage	P	C	N
<a href="#">Mail Order/Online Distribution office w/ onsite outdoor storage</a>	<a href="#">C</a>	<a href="#">N</a>	<a href="#">N</a>
Medical/Dental Laboratory	P	C	N

Use	C-H	C-G	C-N
Medical/Dental Office	P	P	C
Millwork, Cabinetry	P	C	C
Motels (Drive-up/exterior room access)	N	N	N
Motorized Recreation	C	N	N
Non-motorized Recreation, Pool, Gymnasium – Public or Private	P	P	C
Pawnbroker, Bail Bonds, Tattoo Parlor	C	N	N
Personal Services	P	P	C
Professional Services	P	P	C
Public/Private Assembly	P	P	C
Residential	N	N	N
Restaurant	P	P	C
Security Services	P	N	N
Self Storage Units or Warehouse w/o Office	N	N	N
Sexually Oriented Business, Escort Service	C	N	N
Small engine/appliance repair	P	P	N
Tailor, Seamstress, Shoe repair	P	P	C
Tutoring, Dance, Preschool, Daycare	P	P	C
Vehicle Part Sales	P	P	N
Vehicle Repair	P	N	N
Vehicle Sales	P	N	N
Vehicle Salvage/Wrecking	N	N	N
Vehicle Service and Wash	P	C	N
Vehicle Storage – Indoor	P	P	C
Vehicle Storage – Outdoor	C	N	N
Warehouse w/ office	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting – indoor	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting - outdoor	C	N	N

Accessory uses and structures are permitted in the Commercial Zone provided they are incidental to and do not substantially alter the character of the permitted principal use of the structure. Such permitted accessory uses and structures include, but are not limited to, the following:

- A. Accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the (C) Zone.
- B. Storage of materials used for the construction of a building, including a contractor's temporary office, provided that such use be located on the building site or immediately adjacent thereto, and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.

#### **14-6-104 MINIMUM LOT STANDARDS**

The minimum area and street frontage for any lot or parcel in the Commercial Zone shall be as

follows:

**Table 14-6-104**

<u>Subzone</u>	<u>Min. Lot Size (Acres)</u>	<u>Min. Frontage and Width</u>
C-H	0.75	50
C-G	0.50	50
C-N	0.25	70

A corner lot shall meet the minimum frontage and width requirements along both streets.

#### **14-6-105 YARD REQUIREMENTS**

The following minimum yard requirements shall apply in the (C) Zone, except that the minimum front, rear, and side yards listed below shall be increased by one foot (1') for each foot in height the structure extends above thirty-five (35) feet, or the portion of the building extending above thirty-five (35) feet may be set back the equivalent horizontal distance. An interior side or rear yard setback may be reduced during the site plan approval process if the land use authority determines that there is no need for a landscape buffer along that portion of the site, and that the public interest is better served by reducing the setback. However, no setback may be less than required by the International Building Code.

- A. Front and Street Yards. Any lot or parcel within the (C) Zone shall have a minimum building setback of twenty (20) feet from any front property line and/or any property line abutting a public street.
- B. Side Yard. Except as provided otherwise in this chapter, any lot or parcel of land in the (C) Zone shall have a minimum building setback of ten (10) feet from a side property line.
- C. Rear Yard. Except as provided otherwise in this chapter, any lot or parcel of land in the (C) Zone shall have a minimum building setback of ten (10) feet from a rear property line.
- D. Yard Abutting Residential Lots. Where property in the (C) Zone abuts a residential lot or parcel, the minimum building setback shall be twenty (20) feet on the abutting side.
- E. Accessory Building. Each accessory building shall meet all of the setback requirements of principal structures on the same lot or parcel. An accessory building that does not require a building permit, as per the International Building Code, may be located in a side or rear setback area only if all of the following conditions are met:
  - 1. The accessory building is not within a front or street yard setback and is located more than ten (10) feet from any main building on the same or adjacent property.
  - 2. The accessory building has no openings on the side which is contiguous with the property line, and the walls of said building which are adjacent to the property line have a fire retardant rating as specified by the IBC.
  - 3. The accessory building is designed such that all roof drainage is discharged onto the lot or parcel on which it is erected.

#### **14-6-106 PROJECTIONS INTO YARDS**

- A. The following items may be erected on or project into any required yard, except that they shall not obstruct a required driveway or pedestrian access:
1. Fences and walls in conformance with this Title.
  2. Landscape elements, including: trees, shrubs, and other plants.
  3. Necessary appurtenances for utility service as long as they are attached to a permitted structure and do not protrude more than two (2) feet into a required setback.
- B. The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet, except that they may not obstruct a required driveway or pedestrian access:
- Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.
  - Stairways, balconies, door stoops, fire escapes, awnings
  - Planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
  - A covered entry or porch used for the protection of pedestrians entering or leaving a building, provided said structure is not more than one story in height and is entirely open on at least three (3) sides.

#### **14-6-107 BUILDING HEIGHT**

No building or structure in the (C) Zone shall exceed three (3) stories or forty-five (45) feet in height as measured at the average grade. Chimneys, flagpoles, church towers, and similar accessory elements not used for human occupancy are excluded in determining height, however, the City may limit the height of any protrusion that is found by the City Council to be a public nuisance.

#### **14-6-108 DISTANCE BETWEEN BUILDINGS**

The minimum separation between structures shall be ten (10) feet or as required by the International Building Code, whichever is greater. This separation may be reduced through the site plan approval process, except that it shall never be less than distance required by the IBC.

#### **14-6-109 LANDSCAPING**

The following landscaping provisions shall apply in the (C) Zone in addition to other requirements of this Title.

1. The minimum amount of landscaping required within each subzone shall be as follows:

**Table 14-14-109**

<u>Subzone</u>	<u>Min. Percent Landscaping</u>
C-H	15%
C-G	15%
C-N	25%

2. Required landscaping shall be located onsite and shall not include required landscaping within a public right-of-way or any other location not within the property boundaries.
3. All landscaping shall be sprinkled and planted with substantial live plant material for the purpose of buffering, screening, and beautifying the site. At plant maturity, the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
4. A minimum ten (10) feet wide landscape buffer shall be required along all frontage areas not occupied by drive accesses.
5. A minimum ten (10) feet wide landscape buffer shall be established adjacent to all residential properties.
6. All parking, loading, and drive areas shall have a minimum five (5) feet wide landscape buffer when located adjacent to a side or rear property line, except as noted for buffering between residential uses.
7. Parking areas shall be landscaped as set forth in this Title.
8. Landscaping shall also be installed in all parkstrips to the same standards as other on-site landscaping. Asphalt, concrete, bricks, pavers, railroad ties, and other non-vegetative material are not allowed in the parkstrip area between the curb and sidewalk. Xeriscaping is permitted in accordance with the *Landscaping and Fencing* chapter of this Title.
9. Any area that is not landscaped shall be improved consistent with uses permitted in the (C) zone.

#### **14-6-110 PARKING, LOADING, AND ACCESS**

Each lot or parcel in the (C) Zone shall have vehicle parking, loading, and access designed to meet the requirements of this Ordinance.

#### **14-6-111 SITE PLAN APPROVAL**

Site plan approval shall be required for any new construction or change in use in the (C) Zone.

#### **14-6-112 OTHER REQUIREMENTS**

- A. Signs. Each sign erected in the (C) Zone shall conform to the sign provisions of this Title.
- B. Uses Within Buildings. Each use permitted in the (C) Zone shall be conducted entirely within a fully enclosed building. The exception is that a permitted use may include the outdoor display of merchandise for sale only if all of the following conditions are met:
  1. The outdoor display of merchandise shall not be located upon any sidewalk, walkway, driveway, or within any public right-of-way nor shall it interfere with

pedestrian or vehicular movement or with safe and proper ingress and egress of pedestrian traffic.

2. The outdoor display of merchandise shall not reduce the amount of off-street parking below that which is required for the associated commercial uses on the premises.
  3. No item shall be displayed outdoors except for those lawfully displayed and sold inside the business or businesses located on the property. No hazardous and/or flammable materials (such as antifreeze, kerosene, poisons, pesticides and other similar items) may be displayed outdoors.
  4. The aggregate outdoor display area shall not exceed twenty-five percent (25%) of the linear frontage of the store front or ten (10) linear feet, whichever is greater. Businesses located on a corner shall be considered as having two store fronts.
  5. No outdoor display shall exceed six (6) feet in height.
  6. A maximum of fifty percent (50%) of the aggregate outdoor display area may be located in any required landscaping.
  7. Items shall be displayed outdoors only during the hours when the business conducting the display is open to the public. Live plant material shall be exempt from this requirement.
  8. Additional signs, beyond those normally allowed for the subject business, shall not be allowed as part of the outdoor display and sales area.
  9. Outdoor displays for special sales or for one of a kind items which would exceed any of these requirements may be granted a special permit by the Planning Director for a period not to exceed fourteen (14) days provided such special displays do not create parking, access, or traffic hazards.
- C. Trash Storage. No trash, used materials, wrecked or abandoned vehicles, or equipment shall be stored in an open area.

Each development in the (C) Zone shall have adequate on-site, screened refuse containers maintained in a location approved as part of the site plan.

#### **14-6-113 SEXUALLY ORIENTED BUSINESSES**

- A. Sexually oriented businesses, as defined in the Bountiful City Code, shall be allowed only as a conditional use and only in the Heavy Commercial (C-H) subzone provided that all of the following criteria are met:
1. The sexually oriented business may not be operated within six hundred (600) feet of a church, synagogue or regular place of religious worship, a public or private elementary or secondary school, or the boundary of a public park, a licensed day-care center, an existing entertainment business that is oriented primarily towards children or family entertainment, an adults-only business licensed for on-premise beer or alcohol consumption, or another sexually oriented business.

2. For the purpose of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, synagogue, regular place of religious worship, a public or private elementary or secondary school, or the boundary of a public park, a licensed day-care center, an existing entertainment business that is oriented primarily towards children or family entertainment, an adults-only business licensed for on-premise beer or alcohol consumption.
  3. The sexually oriented business shall apply for and meet all of the criteria for a sexually oriented businesses license and shall continuously maintain current such business license.
- B. It is unlawful for any sexually oriented business to deliver any services whatsoever off premises from the business location in the heavy commercial zone. No delivery or products, maid service, or any other personal service, may be rendered in any other zone, or to any other location in the heavy commercial zone.